



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Regular Commission Meeting

City Commission

Mayor Heidi K. Herzberg

Vice Mayor Victor Ramos

Commissioner Maritza Avila-Vazquez

Commissioner Anita Bradford

Commissioner Loren King

Commissioner Dana McCool

Commissioner Chris Nabicht

Monday, October 5, 2020

6:30 PM

Deltona Commission Chambers

- A. [In an effort to reduce the possibility of exposure of residents to the COVID-19 \(Coronavirus\) we are allowing limited public access into the Commission Chambers and practicing social distancing with the City Commission, staff and residents.](#)

Background:

*****NOTE*****

The City Commission is dedicated to working hard and keeping our city moving forward, and a top priority during the COVID-19 pandemic is to help maintain the health of our employees and residents. Another top priority is being able to maintain public participation in our City meetings. Following CDC Guidelines, we are allowing limited public access into the Commission Chambers and practicing social distancing with the City Commissioners, staff and residents. Though there are restrictions when it comes to public gatherings, we are dedicated to making sure those who would like to make their voice heard are able to.

Please note your public comments can be submitted via one of the following mediums no later than 3:00 p.m. October 2, 2020 to ensure they are available for the Commissioners to review prior to the meeting.

- eComment
 - Click the "Agenda & Minutes" icon on the homepage;
 - Chose the meeting you want to comment on and click on "eComment" in the last column; and
 - Go to the item and click on the speech balloon marked "Comment" to make your comment.
 - To view all comments made on an item chose the speech balloon to the left.
- Visit the "Request To Speak" page of the website at <https://www.deltonafl.gov/city-commission/webforms/request-speak>
 - Under the Commission Meetings tab
 - Fill out the "Request To Speak" form - which will be

submitted.

- Email: cityclerkdept@deltonafl.gov
<<mailto:cityclerkdept@deltonafl.gov>>
- Fax: 386-878-8501

All submitted comments will become part of the official City record, and be attached to the meeting minutes. This is a fluid situation and as procedures change, we will be sure to update you.

Attachments: [Instructions for eComment](#)

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

3. INVOCATION AND PLEDGE TO THE FLAG:

A. [Invocation Presented by District #1 Commissioner.](#)

Background:

At the Regular City Commission Meeting on Monday, October 17, 2011, the City Commission approved to have each Commissioner by District schedule someone to present the invocation at each Regular City Commission meeting rotating each Commissioner by District starting with District #1, #2, #3, #4, #5, #6 and the Mayor.

4. APPROVAL OF MINUTES & AGENDA:

A. [Approval of minutes of the Regular Commission Meeting of September 21, 2020, as presented. - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

Background:

N/A

Attachments: [September 21, 2020 RCM Minutes](#)

5. PRESENTATIONS/AWARDS/REPORTS:

A. [Proclamation - October 2020 Pink Out Month - Breast Cancer Awareness](#)

Background:

The City of Deltona is partnering with AdventHealth to increase the awareness of breast cancer screenings and the importance of the ongoing fight against breast cancer during the month of October.

Attachments: [Breast Cancer Pink Out Month.doc](#)

B. [Presentation - Florida Local Government Information Systems Association \(FLGISA\) 20 Years of Service Award - Interim City Manager Dr. Cooper, \(386\) 878-8852.](#)

Background:

The Florida Local Government Information Systems Association's (FLGISA) Board of Directors has awarded Deltona's IT Director Robert Cordero with a plaque in recognition of the City of Deltona's FLGISA 20 Years of Service Award and he will also be featured on the FLGISA website.

C. [Presentation - Quarterly Reports of City Advisory Boards/Committees - Joyce Raftery, City Clerk \(386\) 878-8502.](#)

Background:

Quarterly Reports of City Advisory Boards/Committees:

- 1) Firefighters' Pension Plan Board of Trustees (Written Report Only)
- 2) Planning and Zoning Board - (Written Report Only)
- 3) Team Volusia - (Written Report Only)

Attachments:

[FFPP 3rd Qtr Report](#)
[P&Z 3rd Qtr Report](#)
[Team Volusia 3rd Qtr Report](#)

6. ORDINANCES AND PUBLIC HEARINGS:

A. [Public Hearing - Ordinance No. 05-2020, Large Scale Comprehensive Plan Future Land Use Map Amendment \(CP19-0002\) for a ±95.34 acre parcel from Volusia County Rural to City Low Density Residential \(LDR\) and adding Future Land Use Element Goal FLU4, Objective FLU4-1, and Policy FLU4-1.1, at first reading - Ron A. Paradise, Interim Deputy City Manager/Director, Planning and Development Services, \(386\) 878-8610.](#)

[Strategic Goal: Economic Development - Create more diversified & high-quality housing opportunities to provide for all market demands.](#)

Background:

The City of Deltona received an application to amend the City's Future Land Use Map by changing the Future Land Use designation on a +/-95.34 acre parcel from Volusia County Rural (Rural category Density Range: One (1) unit per acre to one (1) unit per ten (10) acres. The preferred density of the Rural category is one unit per 5 acres. The one unit per one acre density is applied to areas that meet vicinity criteria associated with nearby existing urban development or entitlements. Approximately 30 acres of the Rural designated amendment area does meet the criteria for a one unit per acre density allotment. The remaining Rural area is figured at a density of one unit per 5 acres.) to City Low Density Residential (LDR) (0-6 dwelling units per acre). In addition, this Ordinance amends the Future Land Use Element of the

City of Deltona's Comprehensive Plan by adding Goal FLU4, Objective FLU4-1, and Policy FLU4-1.1 to address the development on individual properties within the City. The aforementioned provisions proposed to be added to the Comprehensive Plan will limit density on the property to 226 units. Please refer to the attached staff report for further details.

On August 19, 2020, the Planning and Zoning Board heard the Enterprise Osteen West Comprehensive Plan Future Land Use Map amendment request. The Planning and Zoning Board voted five (5) to two (2) to forward this ordinance to the City Commission with a recommendation to deny the FLUM amendment request. Reasons cited by the Planning and Zoning Board for the recommendation of denial was the project was too dense and the proposal was incompatible with the surrounding area.

This meeting is for a first reading of Ordinance No. 05-2020. The first reading also represents a transmittal hearing to advance the amendment to the Volusia County Growth Management Commission and the Florida Department of Economic Opportunity for review. Based on the review process and related procedure, the second and final reading on this ordinance should occur during the first quarter of 2021.

Approval of this item authorizes any and all necessary actions, documents or budget transfers to facilitate Commission approval and further authorizes the Interim City Manager to sign any documents necessary to implement Commission approval of this item.

Attachments:

[STAFF REPORT](#)

[Maps](#)

[EXHIBIT 1-TIA for Enterprise Osteen PUD 11-14-18](#)

[EXHIBIT 2-Finding of Adequate Capacity Review VCSB](#)

[EXHIBIT 3-VC comments 6-16-2020 CP20-0024 and CP1](#)

[EXHIBIT 4-Response to VC Comments dated 6-16-2020](#)

[Ordinance 05-2020](#)

[EXHIBIT A-Legal description](#)

[EXHIBIT B-Proposed FLUM](#)

[Exhibit C-Comp Plan FLU Element Text Amendment](#)

- B.** [Public Hearing - Ordinance No. 07-2020, Large Scale Comprehensive Plan Future Land Use Map amendment \(CP20-0024\) for a ±130.08 acre property from Mixed Use Village and Osteen Commercial Village to Transitional Residential and adding Future Land Use Element Policy FLU4-1.2 to the City Comprehensive Plan, at first reading - Ron A. Paradise, Interim Deputy City Manager/Director, Planning and Development Services, \(386\) 878-8610.](#)

Strategic Goal: Economic Development - Create more diversified & high-quality housing opportunities to provide for all market demands.

Background:

The City of Deltona received an application to amend the City's Future Land Use Map by changing the Future Land Use designation on a +/-130.08 acre area from Mixed Use Village (MUV) and Osteen Commercial Village (OCV) to Transitional Residential (TR). The above land use nomenclature is associated with the Osteen Local Plan. The Osteen Local Plan is a result of a Joint Planning Agreement (JPA) between the City of Deltona and Volusia County. Both the MUV and the OCV Osteen JPA designations allow intensive urban uses, including multi-family and non-residential (commercial) entitlements. The requested TR category has a residential density of up to four (4) dwelling units per acre and is geared towards a development pattern featuring detached dwellings on individual lots. This Ordinance also amends the Future Land Use Element of the City of Deltona's Comprehensive Plan by adding Policy FLU4-1.2 to limit the gross density on the +/-130.08 acre area to 329 dwelling units. Essentially this request is a significant reduction of land use intensity. Please refer to the attached staff report which provides a detailed analysis.

As has been mentioned, the amendment request involves land within the Osteen Joint Planning Area (JPA). The JPA represents a joint effort between the County and the City. Finalized by the City and the County in 2009, the JPA established special land use designations for the 3,900 acre Osteen planning area. In addition, the JPA included parameters to ensure a high level of coordination between the City and the County regarding development and land use activity within the Osteen area. With regard to intergovernmental coordination, the City and the County have been both involved in the inception and review of the subject request to change from MUV and OCV to TR. However, according to the 2009 Osteen JPA the County will be required to provide written approval before the City adopts a change to the Osteen Local Plan. A copy of the 2009 JPA is attached. As a point of clarification, the October 5, 2020 meeting represents the first reading on this Ordinance and is a policy decision of the Commission to transmit the amendment to the Volusia Growth Management Commission and the Florida Department of Economic Opportunity for review. The adoption hearing for this amendment will not occur until sometime in the first quarter of 2021. County adoption approval will require a formal action of County Council. There has been an administrative request by the City for County staff to schedule a hearing on this matter preferably in October of 2020. However, it would be appropriate to expect the County will not render a determination and may not even schedule a hearing until there is an action by the City

Commission transmitting and otherwise sanctioning the amendment request.

On August 19, 2020, the Planning and Zoning Board heard the Enterprise Osteen East Comprehensive Plan Future Land Use Map amendment request. The Planning and Zoning Board voted four (4) members to three (3) to forward this Ordinance to the City Commission with a recommendation to deny the FLUM amendment request. The rationale for the recommendation of denial was the proposal was there was no demonstrated need for the project and the amendment was not consistent with the Osteen vision. As part of this recommendation, the Planning and Zoning Board also suggested the Commission send a letter to Volusia County requesting the Osteen JPA and related land use allocations be reevaluated and otherwise updated.

Approval of this item authorizes any and all necessary actions, documents or budget transfers to facilitate Commission approval and further authorizes the Interim City Manager to sign any documents necessary to implement Commission approval of this item.

Attachments:

[Staff Report](#)

[MAPS](#)

[EXHIBIT 1-TIA](#)

[EXHIBIT 2-VC SB-Cap. Determination](#)

[EXHIBIT 3-VC comments](#)

[EXHIBIT 4-Response to VC Comments](#)

[ORDINANCE NO. 07-2020](#)

[EXHIBIT A-LEGAL DESCRIPTION](#)

[EXHIBIT B-LEGAL DESCRIPTION](#)

[EXHIBIT C-MAP](#)

[Osteen Joint Planning Area \(JPA\)](#)

7. OLD BUSINESS:

8. NEW BUSINESS:

9. PUBLIC FORUM: Citizen comments are limited to issues and concerns not on the agenda and comments on items listed on the agenda will take place after discussion of each item. Please be courteous and respectful of the views of others. Personal attacks on Commission members, City staff or members of the public are not allowed, and will be ruled out of order by the Mayor.

Citizen comments for any items. (4 minute maximum length per speaker)

CONSENT AGENDA: The consent agenda contains items that have been determined to be routine and non-controversial. If anyone in the audience wishes to address a particular item on the consent agenda, now is the opportunity for you to do so. Additionally, if staff or members of the City Commission wish to speak on a consent item, they have the same opportunity.

10. CONSENT AGENDA:

11. CITY COMMISSION SPECIAL REPORTS AND REQUESTS:

12. CITY ATTORNEY COMMENTS:

13. CITY MANAGER COMMENTS:

14. CITY COMMISSION COMMENTS:

15. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.